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10-25-06

PTO/SB/21 (6-99)

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**TRANSMITTAL
FORM**

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10758,307	
	Filing Date	January 14, 2004	
	First Named Inventor	Melody A. Cobleigh	
	Group/Art Unit	1636	
	Examiner Name	Schlapkohl, Walter	
Total Number of Pages in This Submission	11	Attorney Docket Number	39740-0008A

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Response to Office Action <input type="checkbox"/> After Final <input type="checkbox"/> Version With Markings Showing Changes <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 <input type="checkbox"/> Copy of Notice	<input type="checkbox"/> Copy of an Assignment <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, by Assignee to Exclusion of Inventor Under 37 C.F.R. §3.71 With Revocation of Prior Powers <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> ADDITIONAL ENCLOSURE(S) (PLEASE IDENTIFY BELOW): <input checked="" type="checkbox"/> Stamped Return Postcard
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AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT 08-1641 FOR ANY FEES DUE IN CONNECTION WITH THIS PAPER, REFERENCING ATTORNEY'S DOCKET NO. 39740-0008A.		

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual name	HELLER EHRMAN LLP 275 Middlefield Road, Menlo Park, California 94025			LESLIE A. MOOI (Reg. No.37,047) Telephone: (650) 324-7000	Facsimile: (650) 324-0638
Signature					
Date	October 23, 2006		Customer Number:	25213	

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PATENT

Attorney Docket No. 39740-0008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:) Examiner: Schlapkohl, Walter
)
Cobleigh et al.) Art Unit: 1636
)
Application Serial No. 10/758,307) Attorney's Docket No. 39740-0008A
)
Filed: January 14, 2004) Customer No. 25213
)
For: GENE EXPRESSION MARKERS)
FOR BREAST CANCER)
PROGNOSIS)
)

Express Mail No.: EV 582 635 562 US

Mailing Date: October 23, 2006

RESPONSE TO RESTRICTION REQUIREMENT AND AMENDMENT

MAIL STOP PATENT AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Dear Sir:

This is a response to the Restriction Requirement dated September 21, 2006. Prior to substantive examination of the above-identified patent application Applicants respectfully request the entry of the following amendments.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 8 of this paper.